

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CHARLES AND SARAH KUHN, husband
and wife,

CASE NO. C05-5202RJB

Plaintiffs,

V.

CITY OF BAINBRIDGE ISLAND.

Defendant.

ORDER LIFTING STAY AND
SETTING DUE DATE FOR
COMBINED JOINT STATUS
REPORT AND DISCOVERY PLAN

This matter comes before the court on review of the file.

On March 28, 2005, the court issued a Minute Order Regarding Initial Disclosures, Joint Status Report, and Early Settlement. Dkt. 3. In that order, the court directed that the parties file a Combined Joint Status Report and Discovery Plan not later than June 27, 2005. *Id.* On May 11, 2005, the court issued a Stipulation for and Order Staying Action for Ninety Days and Declaring Action Commenced for Purposes of Statute of Limitations. Dkt. 6. The due date for the Combined Joint Status Report and Discovery Plan was stricken upon the entry of this order.

The ninety-day period staying this action expired on August 9, 2005, and counsel has not notified the court that settlement has been reached.

1 Therefore, it is hereby

2 **ORDERED** that the stay is hereby lifted, and not later than **October 31, 2005**, the parties shall file
3 a Combined Joint Status Report and Discovery Plan, as required by Fed.R.Civ.P. 26(f) and Local Rule CR
4 16. If the Combined Joint Status Report and Discovery Plan is not timely filed, the court will dismiss this
5 case without prejudice.

6 The Clerk is directed to send uncertified copies of this Order to all counsel of record and to any
7 party appearing *pro se* at said party's last known address.

8 DATED this 30th day of August 2005.

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11 Robert J. Bryan
12 United States District Judge
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